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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,904	06/29/2001	Steven C. Monroe	06978.0105-00000	4655

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EXAMINER

CHEN, TE Y

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 07/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/894,904

Applicant(s)  
Monroe

Examiner  
T. Chen

Art Unit  
2171



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Jun 29, 2001
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1-20 is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4 6) ☐ Other:

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### **DETAILED ACTION**

1. Claims 1 - 20 are presented for examination.
2. Applicant's claim for domestic priority under 35 U.S.C. 119(e) is acknowledged. the priority claim is accepted.

#### ***Specification***

3. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicants' cooperation are requested in correcting any errors of which applicants may become aware in the specification. Also, It is noted that the present specification does not contain line numbers. For ease of reference by both Examiner and Applicant all future correspondence should include the recommended line numbering.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

35 U.S.C. § 102(e), as revised by the AIPA and H.R. 2215, applies to all qualifying references, except when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. For such patents, the prior art date is determined under 35 U.S.C. § 102(e) as it existed prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. § 102(e)).

5. Claims 1-4, 7-8, 10-11, 13-17 and 20, are rejected under 35 U.S.C. 102(e) as being anticipated by Schneider (U.S. Patent No. 6,442,549).

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6. As to claims 1-4, 7-8, 11, and 14-17, Schneider discloses a computer system [e.g., see Abstract, Fig. 1] with apparatus, methods and computer program products as claimed by applicant, to perform the following processing, comprising:

a memory [for example, the memory (44), Fig. 1] including a program [the operating code, col. 13, lines 14-16] that

- \* tracks modifications to a registrar database [e.g., the subscriber of the Internet using log files to track index history, database revision and version information, etc. for the purpose of subscriber/provider database synchronization; see col. 21, line 64 - col. 22, line 13; Fig. 4A-4C; Fig. 5];

- \* identifies in the registrar database one or more records including modified information about the domain name based on the tracked modification [Abstract, lines 1-11; claim 1; Fig. 4A-4C; Fig. 5];

- \* determines identifiers for the identified one or more records, respectively, [e.g., see col. 36, lines 24-28]; and

- \* reflects the tracked modifications in the whois database based on the determined identifiers [e.g., col. 9, lines 18-21; col. 10, lines 8-12]; and

a processor that runs the program [e.g., 38, Fig. 1; col. 13, lines 1-3] on real-time [e.g. col. 9, lines 9-17].

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7. As to claims 10, 13 and 20, except the features discussed above, Schneider further discloses that the system program [e.g. the program 34, Fig. 3] performs the following steps:

- \* receives a request for information about a domain name [e.g. the hyperlink clipping service provided by the program 34, see col. 12, lines 55-61; col. 20, lines 5-12; lines 48-51];

- \* create a flat file based on the whois database [e.g. the report file service provided by the program 34; see col. 12, lines 55-61; col. 20, lines 16-17; lines 48-51];

- \* create at least one index file to retrieve information from the flat file database based on the at least one index file [col. 20, lines 19-21; lines 48-51].

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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9. Claims 5, 9, 18 and 6, 12, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider (U.S. Patent No. 6,442,549) as discussed above and in view of Baxter et al. (U.S. Patent No. 6,356,903).

10. As to claims 5, 9 and 18, Schneider discloses all the features listed above, except he did not expressly cite that reflecting the tracked modifications in the whois database on an hourly basis.

11. However, Baxter et al. (hereinafter referred as Baxter) teaches reflecting the tracked modifications in the whois database on an hourly basis [col. 12, lines 22-25]. Thus, with Baxter's teaching in front of him/her, It would have been obvious to one of the ordinary skill person in the art at the time the invention was made, to modify Schneider's invention by coding a simple trigger to reflecting the tracked modifications in the whois database on an hourly basis. because by doing so, the modified system would be automatically driven through an automated source and updates a whois database hourly as user desired.

12. However, let us assume, argumendo, that applicant is still not persuaded. The examiner maintains that performing tasks in the hourly basis is commonly applied in the database art. For example, consider one of the airline shuttle flights, which are typical

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scheduled to fly on every hour between say 6AM to 10 PM., per day, per year. Another airline also schedules the flight between two cities on a half hour basis. In summary, to an ordinary skilled person in the art at the time the invention was made to maintain that performing tasks which have to be done on a regular basis is scheduled on an hourly basis, because that is assumed that an hourly basis is sufficient frequency for updating a database in an hourly basis is in fact of sufficient frequency.

13. As to claims 6, 12 and 19, Schneider and Baxter disclose all the features as claimed by applicant, except they did not expressively teach that using a Java Database Connectivity (JDBC) interface to access the whois database.

14. However, The examiner takes official notice that it is well known in the database art to use Java Database Connectivity interface (JDBC) to access an object database from the host system. Hence, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to adapt this well known technique in the combined system of Schneider and Baxter, because by doing so, it would allow the application uses a single, standards based set of APIs to access any database.

### ***Conclusion***



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15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Lindsey (U.S. Patent No. 6,574,637 ) which disclosed a computer system using JDBC or other Open Database Connectivity for viewing database structures.

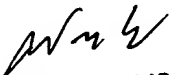
16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Chen, whose telephone number is (703) 308-1155. The examiner can normally be reached Monday through Friday from 7:30 A.M. to 4:30 P.M.

17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached at (703) 308-1436. The fax phone numbers for this group are: (703) 746-7238 (After Final Communication);  
(703) 746-7239 (Official Communications); and  
(703) 746-7240 (For Status Inquiries, Draft Communication).

18. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Susan Chen

July 1, 2003

  
WAYNE AMSBURY  
PRIMARY PATENT EXAMINER